

Exhibit 94

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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 In re Terrorist Attacks on
4 September 11, 2001

03 MD 1570 (GBD)

5 -----x
6 New York, N.Y.
7 July 30, 2015
11:00 a.m.

8 Before:

9 HON. GEORGE B. DANIELS,

District Judge

10 APPEARANCES

11
12
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1 MR. KELLOGG: There's an argument to be made that
2 because his salary was ultimately paid by the Saudi government
3 that you could consider him an employee of civil aviation, but
4 that does not make him a Saudi intelligence agent. It does not
5 mean that the scope of his employment, if you attribute that
6 employment to civil aviation, had anything to do with assisting
7 the hijackers or knowing of their activities.

8 THE COURT: How do I determine that?

9 MR. KELLOGG: I'm sorry?

10 THE COURT: How do I determine that? How do I
11 determine whether or not that wasn't within the scope of his
12 employment, that that wasn't what he was employed to do?

13 MR. KELLOGG: I'm sorry, your Honor. I didn't catch
14 the question.

15 THE COURT: That that wasn't part of what he was
16 employed to do.

17 MR. KELLOGG: His contract was to assist Dallah Avco
18 in projects for the civil aviation division. There is no
19 suggestion, and the FBI found and the 9/11 Commission found,
20 that there was no evidence that he was either an intelligence
21 agent, that he materially assisted the hijackers or that he
22 knew what the hijackers were up to.

23 THE COURT: And his contract was with what entity?

24 MR. KELLOGG: I'm sorry. His contract? The
25 plaintiffs have a copy of this contract. They have full

1 discovery from Dallah Avco. They have all his employment
2 records through Dallah Avco. They haven't come up with
3 anything to suggest that.

4 THE COURT: Is that a Dallah Avco contract, or is that
5 a civil aviation contract, or is that a Saudi Arabian
6 government contract? What's the nature of the contract? Who
7 is the contract technically with?

8 MR. KELLOGG: They have these employment records from
9 Dallah Avco, which include the contract between Dallah Avco and
10 civil aviation.

11 THE COURT: Right.

12 MR. KELLOGG: Pursuant to which he was working for
13 Dallah Avco at that time.

14 THE COURT: But when you say his contract, his
15 contract was with whom?

16 MR. KELLOGG: His contract at the time of the 9/11
17 attacks, actually, he was out of the United States by then, but
18 his contract, his employment contract, was with Dallah Avco.

19 THE COURT: And is the Saudi Arabian government or
20 civil aviation a party to that contract?

21 MR. KELLOGG: There's no question he was only working
22 for Dallah Avco because civil aviation asked Dallah Avco to
23 employ him as part of Dallah Avco's contract with civil
24 aviation.

25 THE COURT: Again, I'm trying to figure out where